

MINUTES

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF ALABAMA, EASTERN DIVISION

HON. <u>VANZETTA MCPHERSON</u> , MAG JUDGE	AT <u>MONTGOMERY</u> , ALABAMA
DATE COMMENCED <u>AUGUST 1, 2005</u>	AT <u>11:15</u> A.M./P.M.
DATE COMPLETED <u>AUGUST 1, 2005</u>	AT <u>11:25</u> A.M./P.M.
WILLIAM EARL WINDHAM, et al)
)
Plaintiffs)
v)
B. W. CAPPS & SONS, INC.)
)
Defendant)

CA No. 3:05cv472-M

<u>PLAINTIFF(S) /GOVERNMENT</u>	<u>APPEARANCES</u>	<u>DEFENDANT(S)</u>
Attys David Rayfield	X X Atty James McKoon X X X	

COURT OFFICIALS PRESENT:

Bernodine Green, Judicial Assistant	Sheila Carnes, Courtroom Clerk
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PROCEEDINGS:

- () NONJURY TRIAL
 OTHER PROCEEDING: SCHEDULING CONFERENCE

11:15 a.m. Scheduling conference commenced by telephone.
 Tentative trial date: June 12, 2006 (subject to confirmation by the Court). Diversity case involving permanent physical injury; settlement is questionable. Order to issue directing the plaintiff to file a notice within 30 days of costs and expenses for all damages incurred (itemized in specific categories). This case involves extensive factual disputes and therefore is not a summary judgment case.

11:25 a.m. Conference concluded.